

## REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on September 5, 2006, the Examiner rejected claims 1, 4-7 and 13-17 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin (United States Patent No. 5,490,353, hereinafter "McLaughlin"), rejected claims 2-3 and 8-12 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin in view of Cotton Jr (United States Patent No. 6,588,159, hereinafter "Cotton"), and rejected claim 18 under 35 U.S.C. 103(a) as being unpatentable over Karlsson (United States Patent No. 4,266,387, hereinafter "Karlsson") in view of McManus (United States Patent No. 5,893,600, hereinafter "McManus"). Applicant respectfully submits that the claim set as provided herein is not made obvious by the cited references and provides the following:

The standard for a Section 103 rejection is set for in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicant respectfully submits that the references cited by the Examiner do not teach or suggest the limitations claimed in the present invention. In particular, independent claim 1 recites an interior window covering frame assembly comprising: an elongate core substrate configured to frame at least a portion of a window opening, wherein said substrate comprises a thickness of less than 5/16 inch, said substrate having a lateral plate and a flange transverse to said lateral plate, wherein said lateral plate is configured to be coupled in a parallel fashion to an adjacent wall, and wherein said flange is configured to extend out from said wall; and a window

covering coupled to said substrate, and wherein said flange is configured to retain at least a portion of said window covering. Such limitations are supported by the application as originally filed, and similar limitations are included in independent claims 8, 13, and 18.

Applicant respectfully submits that none of the cited references, alone or in combination, teaches or suggests all of the claim limitations of independent claims 1, 8, 13, or 18. For example, McLaughlin teaches that each "...bracket 44 is attached to a window framing stud 45 in the wall 14." (see col. 3, lines 48-52) Since the references cited by the Examiner do not teach or suggest each and every limitation of the independent claims, Applicant respectfully submits that the prior art references do not make obvious the independent claims.

Moreover, since the prior art references do not make obvious the independent claims, Applicant respectfully submits that the prior art references do not make obvious the corresponding dependent claims, which depend from the independent claims.

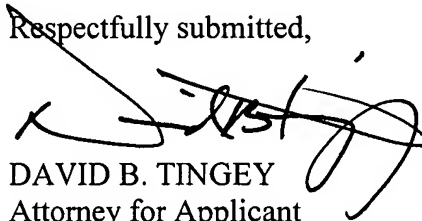
Thus, Applicant respectfully submits that for at least the reasons provided herein, the claim set as provided herein overcomes all rejections made by the Examiner in the Office Action.

### CONCLUSION

Applicant respectfully submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant respectfully requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 5<sup>th</sup> day of February, 2007.

Respectfully submitted,



DAVID B. TINGEY  
Attorney for Applicant  
Registration No. 52,289

KIRTON & McCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 323-5986  
Facsimile: (801) 321-4893

DBT:cdl  
942445